

SIXTEENTH DAY.

(Friday, January 26, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Henderson
Amsler.	of Marion.
Arnold.	Henderson
Atkinson.	of McLennan.
Avis.	Hendricks.
Baker of Milam.	Houston.
Baker of Orange.	Howeth.
Baldwin.	Hughes.
Barker.	Hull.
Barrett.	Irwin.
Beasley.	Jacks.
Bell.	Jennings.
Bird.	Jones.
Bobbitt.	Kemble.
Bonham.	Lackey.
Brady.	Laird.
Bryant.	Lane.
Burmeister.	LeMaster.
Cable.	LeSturgeon.
Carpenter	Lewis.
of Dallas.	Loftin.
Carpenter	McBride.
of Matagorda.	McDaniel.
Carson.	McFarlane.
Carter of Coke.	McKean.
Carter of Hays.	Martin.
Chitwood.	Mathes.
Coffee.	Maxwell.
Collins.	Melson.
Covey.	Merriman.
Cowen.	Merritt.
Crawford.	Moore.
Culp.	Morgan
Davis.	of Liberty.
DeBerry.	Morgan
Dielmann.	of Robertson.
Dinkle.	Pate.
Dodd.	Patman.
Downs.	Patterson.
Driggers.	Perdue.
Duffey.	Pinkston.
Dunlap.	Pool.
Dunn.	Pope.
Edwards.	Potter.
Faubion.	Price.
Fields.	Purl.
Finlay.	Quaid.
Frnka.	Quinn.
Fugler.	Rice.
Gipson.	Robinson.
Green.	Rogers.
Greer.	Rountree.
Hardin of Erath.	Rowland.
Hardin	Russell of Trinity.
of Kaufman.	Russell
Harrington.	of Callahan.

Sackett.	Strickland.
Sanford.	Stroder.
Satterwhite.	Sweet.
Shearer.	Teer.
Shires.	Thompson.
Simpson.	Thrasher.
Stevens.	Vaughan.
Stewart	Wallace.
of Edwards.	Westbrook.
Smith.	Wessels.
Sparkman.	Williamson.
Stell.	Wilmans.
Stewart of Jasper.	Wilson.
Stewart of Reeves.	Winfree.
Stiernberg.	Young.
Storey.	

Absent.

McDonald.

Absent—Excused.

Blount.	Lusk.
Davenport.	McNatt.
Durham.	Miller.
Harris.	Montgomery.
Johnson.	Turner.
Lamb.	Wells.
Looney.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Miller for today, on motion of Mr. Maxwell.

Mr. Harris for today and tomorrow, on motion of Mr. Fields.

Mr. Montgomery and Mr. Wells for today and tomorrow, on motion of Mr. Baker of Orange.

Mr. McFarlane for yesterday, on motion of Mr. Greer.

Mr. Blount for today and tomorrow, on motion of Mr. Dunlap.

Mr. Chitwood for yesterday, on motion of Mr. Teer.

Mr. Turner for today, on motion of Mr. Shearer.

The following members were granted leaves of absence on account of sickness:

Mr. Durham for today and tomorrow, on motion of Mr. Jones.

Mr. Rowland for today, on motion of Mr. Barker.

Mr. Lusk for today and tomorrow, on motion of Mr. Bryant.

Mr. McNatt for today, on motion of Mr. Kemble.

Mr. Looney for today and tomorrow, on motion of Mr. Stell.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Laird:

H. B. No. 332, A bill to be entitled "An Act to amend Section 1, Chapter 61, Acts of the Thirty-sixth Legislature, Third Called Session, relating to the renewal and extension of teachers' certificates."

Referred to Committee on Education.

By Mr. Baker of Milam, Mr. Patman, Mr. Carter of Hays, Mr. Crawford, Mr. Stewart of Jasper, Mr. Frnka, Mr. Pinkston, Mr. Davis, Mr. LeMaster, Mr. Driggers, Mr. Downs and Mr. Abney:

H. B. No. 333, A bill to be entitled "An Act to amend Articles 7315 to 7324, inclusive, of Chapter 8, Title 124, Revised Civil Statutes, 1911, as amended by Chapter 169, General Laws, passed at the Regular Session of the Thirty-fourth Legislature, as amended further by Chapter 60, General Laws, passed at the regular session of the Thirty-sixth Legislature, all of which relate to the Live Stock Sanitary Commission, by adding a section thereto providing that under certain conditions and regulations, cattle may be shipped from one point to another within the State of Texas."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Duffey:

H. B. No. 334, A bill to be entitled "An Act amending Section 6 of an act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled, 'An Act to preserve, propagate, distribute and protect the wild game, wild birds, wild fowl of the State,' etc., being House bill No. 457, Chapter 157, of the regular session laws, and to repeal all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Abney:

H. B. No. 335, A bill to be entitled "An Act amending Sections 3, 5 and 6 of Chapter 33 of the General Laws of

the State of Texas, passed by the Thirty-seventh Legislature at its Regular Session, approved March 18, 1921, which was an act entitled 'An Act reorganizing and adjusting the Fourth and Seventy-first Judicial Districts of Texas, incorporating Gregg county in the Seventy-first Judicial District and fixing the time of holding court in each of the several counties of said two districts and providing for the proper administration of said courts, and declaring an emergency,' the purpose of this amendment being to amend Section 3 of said act so as to rearrange the times of holding courts in the Seventy-first Judicial District of Texas, which composes Harrison and Gregg counties, and making provision for the validity of process and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Jacks, Mr. Hull, Mr. Baker of Milam, Mr. Arnold, Mr. Collins, Mr. Purl, Mr. Carpenter of Dallas and Mr. Irwin:

H. B. No. 336, A bill to be entitled "An Act to prevent any person, corporation, partnership, trust estate, or other legal entity, from selling or offering for sale, or causing to be offered for sale, as the publisher thereof, and the printer thereof, in the State of Texas, of any newspaper, or other publication, representing to be a newspaper, when such person, or legal entity, does not own property, not exempt from execution, and unincumbered, to an assessed value of \$10,000, within the State of Texas, and providing that when such person or legal entity shall furnish bond in the sum of \$10,000 for every such newspaper sold, or offered to be sold or caused to be offered for sale, in units or lots under 20,000, either daily or weekly, and a further bond of \$5000 for every 10,000 over and above 20,000 or parts thereof, until a maximum bond of \$25,000 shall have been furnished, such bond to be approved by the county judge of the county in which such newspaper or publication is published, and to be filed with the county clerk, and indexed by him in a special book to be kept for that purpose, and such bond shall run in favor of such county judge, and shall be conditioned that should any judgment be rendered in any court of proper jurisdiction within the State of Texas against such person or legal entity because of alleged libelous statements contained in such newspaper or publication, that such

person or legal entity shall pay to the county judge as the property of, and for the use and benefit of, the person recovering such judgment, as against the bond, not to exceed the amount of the bond, and fixing a penalty, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Morgan of Liberty:

H. B. No. 337, A bill to be entitled "An Act creating the Village Mills Independent School District of Hardin county, Texas, defining its boundaries, providing for a board of trustees to manage and control the public free school within said district, and investing the said district with the rights, powers, authority, jurisdiction, privileges and duties of a town or village incorporated for free school purposes only under the general laws, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Amsler:

H. B. No. 338, A bill to be entitled "An Act to amend subdivision 3 of Article 7507 of Chapter 11, Title 126, Revised Civil Statutes of 1911, pertaining to the payment of county taxes on lands acquired and owned by the State for the purpose of establishing thereon State farms and employing thereon convict labor on State account, so as to provide for the payment of taxes on such lands levied and assessed for the purpose of paying the interest on and creating a sinking fund to redeem at maturity bonds voted and sold prior to the acquisition of such land by the State, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Hull:

H. B. No. 339, A bill to be entitled "An Act making all fees of office other than those provided in Title 58 of the Complete Texas Statutes of 1920, known as the 'Fee Bill,' ex-officio fees of office, and provided said ex-officio fees shall be in addition to the maximum salary for office holders now provided in said title, and repealing all laws in conflict herewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Bell, Mr. Burmeister and Mr. Bobbitt:

H. B. No. 340, A bill to be entitled "An Act amending Sections 1 and 2 of Chapter 78, General Laws, Second Called Session, Thirty-sixth Legislature, as amended by Chapter 61, General Laws, First Called Session, Thirty-seventh Legislature, making it unlawful for any person, directly or indirectly, to possess or receive for the purpose of sale, or to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish spirituous, vinous, or malt liquors or medicated bitters capable of producing intoxication, or any other intoxicant whatever, or to possess, receive, manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit, or furnish any equipment, still, mash, grain, fruit, material, supplies, device or other thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivering, taking orders for, soliciting or furnishing any such liquors, intoxicants, or beverages; and making it unlawful for any person, directly or indirectly, to possess or receive for the purpose of sale, or to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish, spirituous, vinous or malt liquors or medicated bitters, or any potable liquor, mixture or preparation, containing in excess of one per cent. of alcohol by volume, or to possess, receive, manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish any other thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivering, taking orders for, soliciting or furnishing any such liquors, intoxicants or beverages; making proof of possession or receipt or possession or receipt for the purpose of sale, is made unlawful in this act; amending Chapter 78, General Laws, Second Called Session, Thirty-sixth Legislature, by adding Section 35a with reference to seizure and destruction of the vehicles and instrumentalities for violating the liquor laws, and declaring an emergency."

Referred to Committee on Liquor Traffic.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and

referred to the appropriate committees, as follows:

Senate bill No. 129, to the Committee on Judicial Districts.

Senate bill No. 165, to the Committee on Education.

BILL RE-REFERRED.

On motion of Mr. Jacks, House bill No. 336 was withdrawn from the Judiciary Committee and referred to the Committee on Criminal Jurisprudence.

RELATING TO CONTRACTS FOR FREE TEXT BOOKS.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. C. R. No. 4, Providing for an investigation of the recent contracts let by the Texas State Text Book Commission, providing how such investigation shall be conducted, and providing how the result of such investigation shall be used.

The resolution having heretofore been read second time, with amendment by Mr. Hendricks pending.

Question recurring on the amendment, it was adopted.

Mr. Patman offered the following amendment to the resolution:

Amend H. C. R. No. 4, page 1, by striking out the words "to the extent not to exceed \$2,500,000," commencing in line 24, after the word "State," down to and including the figures "\$2,500,000."

The amendment was adopted.

Mr. Wallace offered the following amendment to the resolution:

Amend H. C. R. No. 4, line 8, page 2, by striking out the word "seventy-five" and insert in lieu thereof, "fifty."

Mr. Dielmann offered the following substitute for the amendment:

Amend H. C. R. No. 4, page 2, line 8, by striking out, after the word "than," the words "seventy-five per cent," and insert in lieu thereof the words "sixty per cent."

On motion of Mr. Burmeister, the substitute was tabled.

On motion of Mr. Burmeister, the amendment was tabled.

Mr. Patman offered the following amendment to the resolution:

Amend H. C. R. No. 4, page 2, by striking out the word "four," in line 7, and insert "six."

Mr. Burmeister moved to table the amendment.

Mr. Satterwhite raised a point of order on further consideration of the resolution at this time, on the ground that the time had arrived for consideration of a special order.

The Speaker sustained the point of order.

HOUSE BILL NO. 155 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 155, A bill to be entitled "An Act to establish a State college in that portion of Western Texas lying west of the ninety-eighth meridian and north of the thirtieth parallel, to be known as the 'West Texas State College'; providing for the location of such college, its government, the control of its finances, defining its leading objects, and prescribing generally the nature and scope of instructions to be given; conferring upon the board of directors of said college the right of eminent domain; making necessary appropriations for the purchase of lands, the location, establishment and maintenance of said college, and declaring an emergency."

The bill was read second time.

Mr. Carpenter of Dallas offered the following amendment to the bill:

Amend House bill No. 155 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. There shall be established in this State a college for white students to be known as the Texas Technological College, said college to be located north of the 29th parallel and west of the 98th meridian and shall be a co-educational college giving thorough instruction in technology and textile engineering, from which a student may reach the highest degree of education along the lines of manufacturing cotton, wool, leather and other raw materials produced in Texas, including all branches of textile engineering, the chemistry of materials, the technique of weaving, dyeing, tanning and the doing of any and all other things necessary for the manufacturing of raw materials into finished products; and said college shall also have complete courses in the arts and sciences, physical, social, political, pure and applied, such as are taught in colleges of the first class leading to the

degrees of Bachelor of Science, Bachelor of Arts, Bachelor of Literature, Bachelor of Technology and any and all other degrees given by colleges of the first class; said college being designed to elevate the ideals, enrich the lives and increase the capacity of the people for democratic self-government and particularly to give instruction in agricultural pursuits and domestic husbandry and home economics so that the boys and girls of this State may attain their highest usefulness and greatest happiness, and in so doing may prepare themselves for producing from the State its greatest possible wealth.

Sec. 2. The government, control and direction of the policies of said technological college shall be vested in a board of nine (9) directors to be appointed by the Governor who shall hold office for a period of six (6) years, said board of nine (9) directors to be so divided that the terms of three (3) directors shall expire every two years and it shall be the duty of the Governor in making the appointment of the first board of directors to indicate in his appointment the name of the director whose term shall expire in two (2) years, the name of the director whose term shall expire in four (4) years, and the name of the director whose term shall expire in six (6) years; all of said directors to hold office until their successors are qualified, unless a removal is made by the Governor for inefficiency or inattention to their duties as members of such board. The board of directors of the Texas Technological College shall provide a president therefor who shall devote his entire time to the executive management of said school and who shall be directly accountable to the board of directors for the conduct thereof.

Sec. 3. In addition to the courses provided in technology and textile engineering, the said Texas Technological College shall offer the usual college courses given in standard senior colleges of the first class and shall be empowered to confer appropriate degrees to be determined by the board of directors and shall offer four-year courses, two-year courses, or short-term courses in farm and ranch husbandry and economics and the chemistry of soils and the adaptation of farm crops to the peculiar soil, climate and condition of that portion of the State in which the college is located and such other courses and de-

grees as the board of directors may see fit to provide as a means of supplying the educational facilities necessary for this section of the State, and it shall be the duty of the board of directors to furnish such assistance to the faculty and students of such college as will enable them to do original research work and to apply the latest and most approved method of manufacturing and, in general, to afford the facilities of the college for the purpose of originating, developing, supporting and maintaining all of those agencies (physical, mental and moral), for the development of the physical, mental and moral welfare of the students who attend the college and for the further purpose of developing the material resources of the State to their highest point of value and usefulness by teaching the arts of commerce and manufacturing. All male students attending this college shall be required to receive such instruction in military science and tactics as the board of directors may prescribe, which shall, at all times, comply in full with the requirements of the United States government now given as a prerequisite to any aid now extended or hereafter to be extended by the government of the United States to State institutions of this character, and all such white male students shall, during their attendance at such college, be subject to such military discipline and control as the board of directors may prescribe.

Sec. 4. The Chairman of the State Board of Control and the State Superintendent of Public Instruction, the President of the University of Texas, the President of the College of Industrial Arts of Texas, and President of the Agricultural College of Texas, shall constitute a board charged with the responsibility for the location of the Texas Technological College, a majority of whom shall be authorized to act under the terms of this bill in the location of said school, said board being restricted in the choice of the location to the area mentioned in Section 1 of this act and as soon after the passage and approval of this act as practical, said location board shall make careful investigation of proposed sites for the said institution. Consideration shall be given to climatic conditions, supply of water, accessibility and such other matters as appropriately enter into the selection of the desirable location of an institution of this kind. It is further

provided that the said locating board shall not be influenced to any degree in the determination of its selection of a location by offers and promises of bonuses and gifts, directly or indirectly to the State of Texas, as a consideration for the location of said college at any particular place, but a primary consideration which shall outweigh all others in the minds of the members of the locating board shall be to locate this college where it can, in the future, render the greatest service to the State, and to the section of the United States for which it is especially intended; but this is not to be interpreted to mean that the board of directors shall not have authority to accept gifts of land, money for students' loans, permanent improvements or any other objects of value when tendered for the purpose of more completely carrying out the purpose of this act; said gifts to be made after said school is located and established and if a suitable location for said college is offered by any city or community.

Sec. 5. The said locating board shall have authority to select approximately two thousand (2000) acres of land for the site of said college and agree with the owner or owners thereof upon the price to be paid therefor, which said agreement shall be reduced to writing and by the said locating board, signed and delivered to the board of directors herein provided for, who shall thereupon have full authority to contract for the purchase of said land for said purpose, and upon the approval of the title thereto by the Attorney General of the State of Texas, to pay for said land and any improvements thereon in any sum not to exceed one hundred and fifty thousand (\$150,000) dollars.

Sec. 6. It is further provided that, when said locating board has selected a site for said college, it shall be the duty of said board to make a full and complete report of all details connected with the selection of the site for the said college to the Governor of the State of Texas. The filing of this report with the Secretary of State shall legally constitute the establishing of the college.

Sec. 7. The board of directors of the said Texas Technological College is hereby vested with the power of eminent domain to acquire for the use of said college such land as may be necessary for the purpose of carrying out its pur-

pose, by condemning proceedings such as are now provided for railroad companies under the laws of the State of Texas.

Sec. 8. There is hereby appropriated from the general revenues of this State, not otherwise appropriated, the following sums, or so much thereof as may be necessary:

1. Twenty-five hundred (\$2500) dollars of the available revenue of the State, or so much thereof as may be necessary, to become available upon the passage and approval of this act, for the purpose of paying the expense of the locating board in determining the location of said institution.

2. One hundred and fifty thousand (\$150,000) dollars of the available revenues of this State, or so much thereof as may be necessary, to become available September 1, 1923, for the purchase of the necessary lands for the location and establishment of said school.

3. Five hundred thousand (\$500,000) dollars for the fiscal year ending August 31, 1924, for the purpose of providing necessary utilities, machinery, permanent improvements, equipment and buildings for said college.

4. Three hundred and fifty thousand (\$350,000) dollars for the fiscal year ending August 31, 1925, for the purpose of providing necessary utilities, machinery, permanent improvements, equipment and buildings for said college.

5. In the event any portion of the sums hereby appropriated should not be used for and during the year for which they are hereby appropriated, such sums shall become available for the succeeding year, for the purposes herein provided, and for no other.

Sec. 9. The fact that there is not now in Texas a technological college giving full, complete and adequate courses in textile engineering and the art of manufacturing raw materials into the finished products, and the fact that Texas is annually producing millions of dollars' worth of raw materials which are shipped away to the factories in other States, causes annually a great and irreparable loss to the State and the people thereof, creates an emergency and an imperative public necessity for this act to take effect at once and for the suspension of the constitutional rule requiring bills to be read on three several days is therefore enacted that

the said rule be suspended and this act take effect and be in force on and after its passage.

Signed—Carpenter of Dallas, Chitwood, Baldwin, Mathes, Irwin.

Mr. Dinkle moved to recommit the bill to the Committee on Education.

On motion of Mr. Quaid, the motion to recommit was tabled.

(Mr. Quaid in the chair.)

Mr. Carpenter of Matagorda moved the previous question on the pending amendment, and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—101.

Amsler.	Henderson
Arnold.	of Marion.
Atkinson.	Henderson
Avis.	of McLennan.
Baker of Milam.	Hendricks.
Baker of Orange.	Houston.
Baldwin.	Howeth.
Barker.	Hull.
Bell.	Jacks.
Bird.	Jennings.
Bonham.	Jones.
Brady.	Kemble.
Bryant.	Lackey.
Burmeister.	Laird.
Cable.	Lane.
Carpenter	LeSturgeon.
of Dallas.	Lewis.
Carpenter	Loftin.
of Matagorda.	McDaniel.
Carson.	McFarlane.
Carter of Coke.	McNatt.
Carter of Hays.	Mathes.
Chitwood.	Maxwell.
Coffee.	Merriman.
Covey.	Merritt.
Cowen.	Morgan
Culp.	of Liberty.
DeBerry.	Patman.
Dielmann.	Patterson.
Dodd.	Perdue.
Driggers.	Pope.
Duffey.	Potter.
Dunlap.	Price.
Dunn.	Purl.
Edwards.	Quaid.
Faubion.	Quinn.
Frnka.	Rogers.
Fugler.	Russell of Trinity.
Gipson.	Russell
Green.	of Callahan.
Greer.	Sackett.
Hardin of Erath.	Satterwhite.
Hardin	Shearer.
of Kaufman.	Shires.
Harrington.	Simpson.

Smith.	Stroder.
Sparkman.	Sweet.
Stell.	Teer.
Stewart	Thrasher.
of Edwards.	Turner.
Stewart of Jasper.	Williamson.
Stewart of Reeves.	Wilmans.
Stiernberg.	Wilson.
Storey.	Winfree.
Strickland.	Young.

Nays—18.

Abney.	Morgan
Barrett.	of Robertson.
Beasley.	Pate.
Crawford.	Rice.
Dinkle.	Robinson.
Fields.	Sanford.
Finlay.	Thompson.
LeMaster.	Wallace.
McBride.	Westbrook.
McKean.	

Absent.

Bobbitt.	Melson.
Collins.	Moore.
Davis.	Pinkston.
Downs.	Pool.
Hughes.	Rountree.
Irwin.	Rowland.
McDonald.	Stevens.
Martin.	Wessels.

Absent—Excused.

Blount.	Looney.
Davenport.	Lusk.
Durham.	Miller.
Harris.	Montgomery.
Johnson.	Vaughan.
Lamb.	Wells.

(Speaker in the chair.)

Mr. Carpenter of Dallas offered the following amendment to the bill:

Amend House bill No. 155, by striking out all above the enacting clause and inserting in lieu thereof the following: "A bill to be entitled, 'An Act to establish a State college for white students in Texas, west of the ninety-eighth (98) meridian and north of the twenty-ninth (29) parallel, to be known as the Texas Technological College; providing for the location of such college; its government; the control of its finances; defining its leading objects and prescribing generally the nature and scope of instruction to be given; conferring upon the board of directors of said college the rights of eminent domain; making the necessary appropriation for the purchase of land, the location, establishing and maintenance of

said college, and declaring an emergency.'"

The amendment was adopted.

Mr. Dinkle offered the following amendment to the bill:

Amend amendment to House bill No. 155: Section 1, in line 5, strike out the words beginning with the words "in technology and textile engineering from which a," and all of lines 6, 7, 8, 9, 10, and the following words in line 11, "of raw materials into finished products."

Mr. Burmeister raised a point of order on consideration of the amendment, on the ground that the amendment seeks to amend an amendment already adopted by the House.

The Speaker sustained the point of order.

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

The bill was passed to engrossment by the following vote:

Yeas—99.

Amsler.	Harrington.
Arnold.	Henderson
Baker of Milam.	of Marion.
Baldwin.	Henderson
Bell.	of McLennan.
Bobbitt.	Hendricks.
Bonham.	Houston.
Brady.	Hull.
Bryant.	Irwin.
Burmeister.	Jacks.
Carpenter	Jennings.
of Dallas.	Jones.
Carpenter	Kemble.
of Matagorda.	Lackey.
Carson.	Laird.
Carter of Coke.	Lane.
Carter of Hays.	LeSturgeon.
Chitwood.	Lewis.
Coffee.	Loftin.
Collins.	McDaniel.
Covey.	McFarlane.
Cowen.	McNatt.
Culp.	Mathes.
DeBerry.	Maxwell.
Dielmann.	Melson.
Dinkle.	Merritt.
Dodd.	Morgan
Driggers.	of Liberty.
Duffey.	Patman.
Dunlap.	Patterson.
Dunn.	Perdue.
Edwards.	Pool.
Faubion.	Pope.
Frnka.	Potter.
Fugler.	Purl.
Gipson.	Quaid.
Green.	Rice.
Greer.	Rogers.
Hardin of Erath.	

Russell	Stewart of Reeves.
of Callahan.	Stiernberg.
Russell of Trinity.	Storey.
Sackett.	Strickland.
Satterwhite.	Stroder.
Shearer.	Sweet.
Shires.	Teer.
Simpson.	Thrasher.
Smith.	Turner.
Sparkman.	Williamson.
Stell.	Wilmons.
Stevens.	Wilson.
Stewart	Winfree.
of Edwards.	Young.
Stewart of Jasper.	

Nays—20.

Abney.	Hardin
Atkinson.	of Kaufman.
Baker of Orange.	LeMaster.
Barrett.	McBride.
Beasley.	Morgan
Cable.	of Robertson.
Crawford.	Pate.
Davis.	Sanford.
Fields.	Thompson.
Finlay.	Westbrook.
Howeth.	Wessels.

Present—Not Voting.

Bird.	Robinson.
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Absent.

Avis.	Moore.
Downs.	Pinkston.
Hughes.	Price.
McDonald.	Quinn.
McKean.	Rountree.
Martin.	Wallace.
Merriman.	

Absent—Excused.

Blount.	Looney.
Davenport.	Lusk.
Durham.	Miller.
Harris.	Montgomery.
Johnson.	Vaughan.
Lamb.	Wells.

Paired.

Mr. Barker (present), who would vote "nay," with Mr. Rowland (absent), who would vote "yea."

Reason for Vote.

I vote "nay" on House bill No. 155 because I do not believe in spending money before we get it. I favor the bill without the appropriation at the present time.

FINLAY.

MOTION TO TAKE UP HOUSE BILL NO. 155.

Mr. Burmeister moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 155 be placed on its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths vote:

Yeas—88.

Arnold.	Laird.
Avis.	Lane.
Baker of Milam.	LeSturgeon.
Baldwin.	Lewis.
Bell.	Loftin.
Bobbitt.	McDaniel.
Bonham.	McFarlane.
Brady.	McNatt.
Bryant.	Martin.
Burmeister.	Mathes.
Carpenter	Maxwell.
of Dallas.	Merritt.
Carpenter	Patterson.
of Matagorda.	Perdue.
Carson.	Pope.
Carter of Coke.	Potter.
Carter of Hays.	Purl.
Chitwood.	Quaid.
Coffee.	Rogers.
Collins.	Rountree.
Covey.	Russell
Cowen.	of Callahan.
Culp.	Russell of Trinity.
Dielmann.	Sackett.
Dodd.	Sanford.
Driggers.	Satterwhite.
Duffey.	Shearer.
Dunlap.	Shires.
Dunn.	Simpson.
Edwards.	Smith.
Faubion.	Sparkman.
Frnka.	Stevens.
Fugler.	Stewart
Gipson.	of Edwards.
Green.	Stewart of Reeves.
Hardin of Erath.	Storey.
Harrington.	Strickland.
Hendricks.	Sweet.
Henderson	Teer.
of Marion.	Thrasher.
Houston.	Turner.
Hull.	Williamson.
Irwin.	Wilmons.
Jacks.	Wilson.
Jennings.	Winfree.
Kemble.	Young.
Lackey.	

Nays—34.

Abney.	Baker of Orange.
Amsler.	Barker.
Atkinson.	Beasley.

Bird.	Moore.
Cable.	Morgan
Crawford.	of Liberty.
Davis.	Morgan
DeBerry.	of Robertson.
Dinkle.	Pate.
Fields.	Pinkston.
Finlay.	Rice.
Greer.	Robinson.
Hardin	Stell.
of Kaufman.	Stewart of Jasper.
Henderson	Stiernberg.
of McLennan.	Stroder.
Howeth.	Thompson.
LeMaster.	Westbrook.
McBride.	Wessels.

Absent.

Barrett.	Melson.
Downs.	Merriman.
Hughes.	Patman.
Jones.	Pool.
Lamb.	Price.
Looney.	Quinn.
Lusk.	Rowland.
McDonald.	Wallace.
McKean.	

Absent—Excused.

Blount.	Miller.
Davenport.	Montgomery.
Durham.	Vaughan.
Harris.	Wells.
Johnson.	

Mr. Burmeister then moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 21, "An Act to amend Section 2 of Chapter 57 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-first Legislature, 1909, by substituting therefor a new section; providing for the appointment of a clerk of the Court of Criminal Appeals; fixing his salary and defining his powers and duties; abolishing the salary of deputy clerk; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 59, "An Act to amend Chapter 12, pages 21 and 22 of the laws passed at the First Called Session of

the Thirty-seventh Legislature, 1921, by changing the time and terms of holding court in the Sixty-third Judicial District, so that Section 1 of said act shall hereafter read as follows, and declaring an emergency."

H. B. No. 77, "An Act to amend Article 2239, Chapter 1, Title 40 of the Revised Statutes of Texas of 1911, so as to provide that the county judge and each commissioner shall take the oath of office prescribed by the Constitution, and shall also take an oath that he will not be directly or indirectly interested in any contract with or claim against the county in which he resides except such warrants as may issue to him as fees of office, and providing that said oath shall be in writing, and filed and recorded in the office of the county clerk, and providing that each commissioner shall execute a bond with two or more sureties to be approved by the judge of the county court in the sum of \$3000, payable to the treasurer of his county conditioned for the faithful performance of the duties of his office, and further conditioned that said commissioner will pay over to his county all moneys illegally paid to him out of county funds as voluntary payments or otherwise, and that he will not vote or give his consent to pay out county funds except for lawful purposes, and declaring an emergency."

H. B. No. 80, "An Act to amend Article 1732, Chapter 1, Title 35, of the Revised Statutes of Texas of 1911, so as to provide that a county judge, before entering on the duties of his office, shall execute a bond of not less than \$1000 nor more than \$10,000, conditioned that he will pay over to the person or officer entitled to receive it all moneys that may come into his hands as county judge, and that he will pay over to his county all moneys illegally paid to him out of county funds, as voluntary payments or otherwise, and that he will not vote or give his consent to pay out county funds except for lawful purposes, and take the oath of office prescribed in the Constitution, and the further oath required of the several members of the commissioners court, and declaring an emergency."

H. B. No. 49, "An Act to amend Chapter 3 of Title 118, Registration, of the Revised Civil Statutes of the State of Texas of 1911, by adding thereto Articles 6840a and 6840b, providing for the filing with the county clerk as the recorder, of notices or statements of all

liens, and claims and releases thereof, in favor of the Government of the United States or of any department or bureau thereof, providing how such notices or statements shall be filed, recorded and indexed, how said clerks shall be compensated for said services, repealing all laws in conflict therewith, and declaring an emergency."

S. B. No. 34, "An Act to amend Articles 7800, 7801 and 7803, of Title 130, Chapter 1, of the Revised Statutes of Texas, 1911, so as to provide for the forfeiture of the charter of any domestic corporation and to prohibit any foreign corporation from doing business in this State which has been adjudged guilty of violating the anti-trust laws of this State; prescribing the methods by which the charter of a domestic corporation may be forfeited and a foreign corporation denied the right to do business in Texas, and declaring an emergency."

S. B. No. 31, "An Act to authorize the cities having more than 25,000 population to purchase and condemn real estate for the purpose of laying out, establishing, straightening, widening, opening or extending highways, public squares or public places therein, and to provide for the cost thereof, and for the assessment of such costs against property benefited by such improvements and against its owners, and to enforce the collection thereof, and declaring an emergency."

M. C. R. No. 7, Thanking Scottish Rite matron for entertainment.

S. C. R. No. 13, Relating to entertainment by the Amateur Choral Club of Austin.

RECESS.

Mr. Lofton moved that the House adjourn until 10 o'clock next Monday.

Mr. Quaid moved that the House recess to 2 o'clock p. m. today.

Mr. Lackey moved that the House recess until 3 o'clock p. m. today.

Question first recurring on the motion of Mr. Loftin, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—36.

Baker of Milam.	Collins.
Barker.	Dielmann.
Bobbitt.	Dunlap.
Burmeister.	Edwards.
Cable.	Frnka.
Carson.	Fugler.
Carter of Hays.	

Hardin	McNatt.
of Kaufman.	Merritt.
Henderson	Pinkston.
of McLennan.	Pope.
Hendricks.	Potter.
Houston.	Quaid.
Howeth.	Shires.
Hull.	Stevens.
Jones.	Stewart
Kemble.	of Edwards.
Lane.	Stiernberg.
LeStourgeon.	Storey.
Loftin.	Winfree.

Nays—79.

Mr. Speaker.	Lewis.
Abney.	McBride.
Amsler.	McDaniel.
Arnold.	McDonald.
Atkinson.	McFarlane.
Avis.	Martin.
Baldwin.	Mathes.
Beasley.	Maxwell.
Bird.	Moore.
Bonham.	Morgan
Brady.	of Liberty.
Bryant.	Morgan
Carpenter	of Robertson.
of Dallas.	Pate.
Carpenter	Patman.
of Matagorda.	Patterson.
Carter of Coke.	Perdue.
Coffee.	Price.
Covey.	Rice.
Cowen.	Robinson.
Crawford.	Russell
Davis.	of Callahan.
DeBerry.	Russell of Trinity.
Dinkle.	Sackett.
Dodd.	Sanford.
Driggers.	Satterwhite.
Duffey.	Simpson.
Dunn.	Smith.
Faubion.	Sparkman.
Fields.	Stell.
Finlay.	Stewart of Jasper.
Gipson.	Stewart of Reeves.
Green.	Strickland.
Greer.	Stroder.
Harrington.	Thompson.
Henderson	Thrasher.
of Marion.	Turner.
Irwin.	Wallace.
Jacks.	Westbrook.
Jennings.	Wessels.
Lackey.	Wilmans.
Laird.	Wilson.
LeMaster.	Young.

Absent.

Baker of Orange.	Hardin of Erath.
Barrett.	Harris.
Bell.	Hughes.
Chitwood.	Johnson.
Culp.	Lamb.
Downs.	Looney.

Lusk.	Rogers.
McKean.	Rountree.
Melson.	Rowland.
Merriman.	Shearer.
Pool.	Sweet.
Purl.	Teer.
Quinn.	Williamson.

Absent—Excused.

Blount.	Montgomery.
Davenport.	Vaughan.
Durham.	Wells.
Miller.	

Question then recurring on the motion of Mr. Lackey, it prevailed, and the House, accordingly, at 12 o'clock m., took recess until 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by Speaker Seagler.

SPECIAL ORDER SET.

On motion of Mr. Dodd, by unanimous consent, House bill No. 103 was set as a special order for 10:30 o'clock a. m. next Tuesday.

HOUSE JOINT RESOLUTION NO. 4
ON ENGROSSMENT.

The House resumed consideration of unfinished business, same being House joint resolution No. 4, to empower the Legislature to give or lend the credit of the State for the purchase and improvements of rural and urban homes, with amendment by Mr. Patman and motion by Mr. Burmeister to table the amendment pending.

Question recurring on the motion to table, it prevailed.

Mr. Moore offered the following amendment to the resolution.

Amend House joint resolution No. 4, page 1, line 28, after the word "selection," the following: "Provided such homes shall not exceed two hundred (200) acres of land."

On motion of Mr. Burmeister, the amendment was tabled.

Mr. Moore offered the following amendment to the resolution:

Amend House joint resolution No. 4, page 2, line 9, after the word "thereon," the following: "and provided not more than ten thousand (\$10,000) dollars shall be loaned to the head or heads of any

one family, and provided that not more than one loan of ten thousand (\$10,000) dollars shall be advanced on any one home at one and the same time under the provisions of this section."

Mr. Smith moved the previous question on the amendment and the resolution, and the main question was ordered.

Mr. Shires moved to reconsider the vote by which the previous question was ordered.

Mr. Carter of Coke moved to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—64.

Amsler.	Lane.
Arnold.	LeMaster.
Baker of Orange.	Lewis.
Bird.	Loftin.
Bobbitt.	McBride.
Brady.	McFarlane.
Burmeister.	McKean.
Carpenter	McNatt.
of Dallas.	Melson.
Carpenter	Moore.
of Matagorda.	Morgan
Carson.	of Liberty.
Carter of Coke.	Morgan
Carter of Hays.	of Robertson.
Chitwood.	Patterson.
Covey.	Pool.
Cowen.	Potter.
Culp.	Purl.
Dielmann.	Robinson.
Driggers.	Rowland.
Duffey.	Russell of Trinity.
Faubion.	Sparkman.
Hardin of Erath.	Stewart'
Harrington.	of Edwards.
Henderson	Stewart of Reeves.
of Marion.	Stiernberg.
Hendricks.	Storey.
Houston.	Strickland.
Howeth.	Teer.
Hull.	Thrasher.
Irwin.	Turner.
Jacks.	Wilmans.
Johnson.	Wilson.
Jones.	Winfree.
Kemble.	Young.
Lackey.	

Nays—59.

Abney.	Bryant.
Atkinson.	Cable.
Avis.	Coffee.
Baker of Milam.	Collins.
Baldwin.	Crawford.
Barker.	Davis.
Barrett.	DeBerry.
Beasley.	Dinkle.
Bonham.	Dodd.

Downs.	Patman.
Dunn.	Perdue.
Edwards.	Pinkston.
Fields.	Price.
Finlay.	Rice.
Frnka.	Rogers.
Fugler.	Rountree.
Green.	Russell
Greer.	of Callahan.
Hardin	Sackett.
of Kaufman.	Sanford.
Henderson	Satterwhite.
of McLennan.	Shires.
Jennings.	Simpson.
Laird.	Smith.
LeSturgeon.	Stell.
McDaniel.	Stevens.
Martin.	Stewart of Jasper.
Mathes.	Thompson.
Maxwell.	Wallace.
Merritt.	Wessels.
Pate.	

Absent.

Bell.	Quaid.
Dunlap.	Quinn.
Gipson.	Shearer.
Hughes.	Stroder.
McDonald.	Sweet.
Merriman.	Westbrook.
Pope.	Williamson.

Absent—Excused.

Blount.	Lusk.
Davenport.	Miller.
Durham.	Montgomery.
Harris.	Vaughan.
Lamb.	Wells.
Looney.	

Question then recurring on the amendment by Mr. Moore, it was adopted.

Question next recurring on the engrossment of the resolution, yeas and nays were demanded.

House joint resolution No. 4 failed to pass to engrossment by the following vote:

Yeas—60.

Mr. Speaker.	DeBerry.
Abney.	Dielmann.
Baker of Milam.	Dinkle.
Beasley.	Dodd.
Bonham.	Downs.
Bryant.	Dunn.
Burmeister.	Edwards.
Cable.	Faubion.
Carpenter	Fields.
of Dallas.	Finlay.
Carpenter	Frnka.
of Matagorda.	Fugler.
Carter of Hays.	Gipson.
Coffee.	Greer.
Crawford.	Henderson
Davis.	of Marion.

Hendricks.	Robinson.
Irwin.	Rowland.
Laird.	Russell
Lane.	of Callahan.
LeSturgeon.	Sanford.
Lewis.	Satterwhite.
McDaniel.	Shires.
Merritt.	Simpson.
Morgan	Sparkman.
of Liberty.	Stell.
Morgan	Stewart of Reeves.
of Robertson.	Stroder.
Pate.	Teer.
Patman.	Thompson.
Pinkston.	Turner.
Price.	Wallace.
Rice.	Young.

Nays—62.

Amsler.	Lackey.
Atkinson.	LeMaster.
Avis.	Loftin.
Baker of Orange.	McBride.
Baldwin.	McFarlane.
Barker.	McKean.
Barrett.	McNatt.
Bird.	Martin.
Bobbitt.	Mathes.
Brady.	Maxwell.
Carson.	Melson.
Carter of Coke.	Moore.
Chitwood.	Patterson.
Collins.	Perdue.
Covey.	Pool.
Cowen.	Potter.
Culp.	Purl.
Driggers.	Rountree.
Duffey.	Sackett.
Green.	Smith.
Hardin	Stevens.
of Kaufman.	Stewart
Harrington.	of Edwards.
Henderson	Stewart of Jasper.
of McLennan.	Stiernberg.
Houston.	Storey.
Howeth.	Strickland.
Hull.	Thrasher.
Jacks.	Wessels.
Jennings.	Wilms.
Johnson.	Wilson.
Jones.	Winfree.
Kemble.	

' Absent.

Arnold.	Quaid.
Bell.	Quinn.
Dunlap.	Rogers.
Hardin of Erath.	Russell of Trinity.
Hughes.	Shearer.
McDonald.	Sweet.
Merriman.	Westbrook.
Pope.	Williamson.

Absent—Excused.

Blount.	Durham.
Davenport.	Harris.

Lamb.	Montgomery.
Looney.	Vaughan.
Lusk.	Wells.
Miller.	

Mr. Jacks moved to reconsider the vote by which the resolution failed to pass to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 13 ON FINAL PASSAGE.

The Speaker laid before the House, as postponed business, on its final passage, H. B. No. 13, A bill to be entitled "An Act providing for the licensing, bonding and regulating of private employment agents; limiting the fee charged by such agents; providing for the cancellation of such license; prescribing the duties of the Commissioner of Labor Statistics for the State of Texas with reference to the enforcement of this act; providing for recoveries on said bond; fixing penalties for the violation of this act; creating a special fund for the enforcement of this act and appropriating same for said purposes; repealing certain laws and all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill having been read third time last Wednesday,

Mr. Sweet offered the following amendment to the bill:

Amend House bill No. 13, as engrossed, as follows:

For the word "examination" in the second line from the bottom of page 5, substitute the word "affirmation;"

For the word "appraising" in next to the last line of Section 23, substitute the word "apprising;"

Before the word "sections" of the second line of Section 21 place the word "of;"

For the word "moneys" in the last sentence of Section 24, substitute the word "balance;" for the words "The State Treasury" in said last sentence of Section 24, substitute the words "said fund;" and for the word "into" in said last sentence of Section 24 substitute the word "to."

Signed—Sweet, Bell.

Mr. Burmeister moved that further consideration of the bill be postponed until next Monday.

The motion was lost.

Question then recurring on the amendment, it was adopted.

Question recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 13 was then passed by the following vote:

Yeas—92.

Abney.	McDaniel.
Amsler.	McFarlane.
Arnold.	McNatt.
Atkinson.	Mathes.
Baker of Milam.	Maxwell.
Baker of Orange.	Melson.
Baldwin.	Merritt.
Barker.	Moore.
Barrett.	Morgan
Bird.	of Liberty.
Bryant.	Morgan
Cable.	of Robertson.
Carter of Hays.	Pate.
Coffee.	Patman.
Covey.	Patterson.
Cowen.	Perdue.
Crawford.	Pinkston.
Culp.	Pool.
Davis.	Potter.
DeBerry.	Purl.
Dinkle.	Robinson.
Dodd.	Rogers.
Downs.	Rountree.
Driggers.	Rowland.
Duffey.	Russell
Dunn.	of Callahan.
Edwards.	Russell of Trinity.
Faubion.	Sackett.
Finlay.	Sanford.
Frnka.	Satterwhite.
Gipson.	Shires.
Green.	Simpson.
Greer.	Sparkman.
Hardin of Erath.	Stell.
Harrington.	Stevens.
Henderson	Stewart of Jasper.
of Marion.	Stewart of Reeves.
Hendricks.	Storey.
Houston.	Strickland.
Howeth.	Stroder.
Jacks.	Sweet.
Jennings.	Teer.
Johnson.	Thompson.
Kemble.	Thrasher.
Laird.	Turner.
Lane.	Westbrook.
Lewis.	Wilmans.
Loftin.	Wilson.
McBride.	Winfree.

Nays—17.

Beasley.	Henderson
Burmeister.	of McLennan.
Carpenter	Irwin.
of Dallas.	Jones.
Collins.	Lackey.
Hardin	LeMaster.
of Kaufman.	McKean.

Quaid.
Smith.
Stewart
of Edwards.

Wessels.
Williamson.
Young.

Present—Not Voting.

Brady. Carter of Coke.

Absent.

Avis.	Hull.
Bell.	LeStourgeon.
Bobbitt.	McDonald.
Bonham.	Martin.
Carpenter	Merriman.
of Matagorda.	Pope.
Carson.	Price.
Chitwood.	Quinn.
Dielmann.	Rice.
Dunlap.	Shearer.
Fields.	Stiernberg.
Fugler.	Wallace.
Hughes.	

Absent—Excused.

Blount.	Lusk.
Davenport.	Miller.
Durham.	Montgomery.
Harris.	Vaughan.
Lamb.	Wells.
Looney.	

Mr. Satterwhite moved to reconsider the vote by which the bill was passed.

The motion to reconsider prevailed.

Question then recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 13 was then passed by the following vote:

Yeas—110.

Mr. Speaker.	Cowen.
Abney.	Crawford.
Amsler.	Culp.
Arnold.	Davis.
Atkinson.	DeBerry.
Avis.	Dodd.
Baker of Milam.	Downs.
Baker of Orange.	Driggers.
Baldwin.	Duffey.
Barker.	Dunn.
Barrett.	Edwards.
Bird.	Faubion.
Bonham.	Fields.
Brady.	Finlay.
Bryant.	Frnka.
Cable.	Gipson.
Carpenter	Green.
of Dallas.	Greer.
Carson.	Hardin of Erath.
Carter of Coke.	Harrington.
Carter of Hays.	Henderson
Coffee.	of Marion.
Covey.	Hendricks.

Houston.	Robinson.
Howeth.	Rogers.
Jacks.	Rountree.
Jennings.	Rowland.
Johnson.	Russell
Kemble.	of Callahan.
Lackey.	Russell of Trinity.
Laird.	Sackett.
Lane.	Sanford.
LeMaster.	Satterwhite.
Lewis.	Shires.
Loftin.	Simpson.
McBride.	Sparkman.
McDaniel.	Stell.
McFarlane.	Stevens.
McNatt.	Stewart
Martin.	of Edwards.
Mathes.	Stewart of Jasper.
Maxwell.	Stewart of Reeves.
Merritt.	Stiernberg.
Moore.	Storey.
Pate.	Strickland.
Morgan	Stroder.
of Liberty.	Sweet.
Morgan	Teer.
of Robertson.	Thompson.
Patman.	Thrasher.
Patterson.	Turner.
Perdue.	Wallace.
Pinkston.	Westbrook.
Pool.	Wilmans.
Potter.	Wilson.
Price.	Winfree.
Purl.	Young.
Rice.	

Nays—10.

Beasley.	Henderson
Burmeister.	of McLennan.
Collins.	Quaid.
Hardin	Smith.
of Kaufman.	Wessels.
Jones.	Williamson.

Absent.

Bell.	Hull.
Bobbitt.	Irwin.
Carpenter	LeSturgeon.
of Matagorda.	McDonald.
Chitwood.	McKean.
Dielmann.	Melson.
Dinkle.	Merriman.
Dunlap.	Pope.
Fugler.	Quinn.
Hughes.	Shearer.

Absent--Excused.

Blount.	Lusk.
Davenport.	Miller.
Durham.	Montgomery.
Harris.	Vaughan.
Lamb.	Wells.
Looney.	

Mr. Satterwhite moved to reconsider the vote by which the bill was passed and to table the motion to reconsider. The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, January 26, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 22, A bill to be entitled 'An Act to amend Chapter 5, Title 8, of the Code of Criminal Procedure of the State of Texas of 1911, so as to prevent the reversal of criminal cases by the Court of Criminal Appeals upon technicalities and irregularities, and declaring an emergency,' with engrossed rider.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

HOUSE BILL NO. 44 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 44, A bill to be entitled "An Act to preserve and protect the wild fur-bearing animals of this State; declaring wild fur-bearing animals to be the property of the State; providing for the issuance of trapper's licenses, and the disposition of the license fees; defining offenses and prescribing penalties for the violation thereof; and making it the duty of the Game, Fish and Oyster Commissioner and his deputies to enforce the provisions of this act; repealing all laws in conflict herewith, and declaring an emergency."

The bill having heretofore been read second time, with (committee) amendment and substitute by Mr. Finlay for (committee) amendment, pending.

Mr. Baker of Milam moved to recommit the bill to the Committee on Game and Fisheries for further consideration.

Mr. Stewart of Edwards moved that the bill be laid on the table subject to call.

Question first recurring on the motion to lay on the table subject to call, it was lost.

Question next recurring on the motion to recommit, it prevailed.

STATEMENT BY COMMITTEE ON
APPROPRIATION.

The Speaker laid before the House and had read the following communication:

Committee Room,

Austin, Texas, January 26, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I herewith hand you a general statement with reference to the work of the Appropriation Committee.

The committee has a general understanding that it will not go forward with any work until some revenue bills have been started on the floor of the House. It is also a general understanding that the general appropriation bill will not be worked on during the first sixty days of the Regular Session.

Appropriation Bills.

H. B. No. 1, by Meson et al.: An act appropriating \$3,500,000 out of the State Treasury to aid and promote public schools, beginning September 1, 1922, and ending August 31, 1923. Hearing held, subcommittee appointed and reported back no action to be taken unless revenue funds of bills are brought in, which revenue would be available immediately.

H. B. No. 23: To pay \$115,000 to the Houston Exchange Bank; reported back to the House adversely.

H. B. No. 93, by Winfree: To appropriate \$42,000 to pay Blakeley for mules. This bill reported to subcommittee. Subcommittee reported back that Blakeley be made an offer on the basis of the actual value of the mules delivered to the State.

H. B. No. 133, by Quaid: Known as the Deficiency Appropriation bill, aggregating \$428,509. This bill has been held up, as the same bill has been reported favorably out of the Senate committee.

H. B. No. 256: Asking for appropriation of \$2050 to pay Parker County Minute Company of 1866. This bill is under consideration by a subcommittee.

H. B's. Nos. 9, 142, 34, 35, 277 and 201 are bills asking for buildings at various educational institutions and making a grand total of \$690,000.

H. B. No. 299: In the sum of \$6,000,000, to be appropriated from the general revenue to the school funds for the two fiscal years * * *. The total amount asked for appropriations

at this time is about \$12,000,000. This does not include the bills which have already been passed by the House, which aggregate \$1,700,000.

QUAID, Chairman.

ADJOURNMENT.

Mr. Carpenter of Dallas moved that the House adjourn until 10:30 o'clock a. m. next Monday.

Mr. Satterwhite moved that the House adjourn until 11 o'clock a. m. tomorrow.

Question first recurring on the motion of Mr. Carpenter of Dallas, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—66.

Abney.	Lane.
Arnold.	Loftin.
Baker of Milam.	McBride.
Barker.	McFarlane.
Barrett.	McKean.
Beasley.	Maxwell.
Bonham.	Melson.
Burmeister.	Morgan
Cable.	of Liberty.
Carpenter	Morgan
of Dallas.	of Robertson.
Carson.	Pinkston.
Carter of Coke.	Pool.
Carter of Hays.	Potter.
Chitwood.	Purl.
Collins.	Quaid.
Covey.	Robinson.
Cowen.	Rogers.
Crawford.	Rowland.
Dinkle.	Russell of Trinity.
Edwards.	Sackett.
Fields.	Shires.
Frnka.	Simpson.
Fugler.	Smith.
Gipson.	Stell.
Green.	Stewart
Hardin	of Edwards.
of Kaufman.	Stiernberg.
Henderson	Storey.
of McLennan.	Stroder.
Houston.	Thompson.
Irwin.	Turner.
Johnson.	Wessels.
Jones.	Williamson.
Kemble.	Winfree.
Lackey.	Young.

Nays—53.

Mr. Speaker.	Bryant.
Amsler.	Carpenter
Atkinson.	of Matagorda.
Avis.	Coffee.
Baldwin.	Culp.
Bird.	Davis.
Brady.	DeBerry.

Dodd.	Pate.
Driggers.	Patman.
Duffey.	Patterson.
Dunn.	Perdue.
Faubion.	Rice.
Finlay.	Russell
Greer.	of Callahan.
Hardin of Erath.	Sanford.
Harrington.	Satterwhite.
Henderson	Sparkman.
of Marion.	Stevens.
Howeth.	Stewart of Jasper.
Jacks.	Stewart of Reeves.
Jennings.	Strickland.
Laird.	Sweet.
Lewis.	Thrasher.
McDaniel.	Wallace.
McNatt.	Westbrook.
Martin.	Wilmans.
Mathes.	Wilson.
Moore.	

Present—Not Voting.

Price.

Absent.

Baker of Orange.	LeStourgeon.
Bell.	McDonald.
Bobbitt.	Merriman.
Dielmann.	Merritt.
Downs.	Pope.
Dunlap.	Quinn.
Hendricks.	Rountree.
Hughes.	Shearer.
Hull.	Teer.
LeMaster.	

Absent—Excused.

Blount.	Lusk.
Davenport.	Miller.
Durham.	Montgomery.
Harris.	Vaughan.
Lamb.	Wells.
Looney.	

The House, accordingly at 5 o'clock p. m., adjourned until 10:30 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills as follows:

School Districts—Senate bills Nos. 67 and 126; House bills Nos. 307 and 306.

State Affairs—House bills Nos. 279, 314 and 278.

Judicial Districts—House bills Nos. 128, 162, 294 and 301; Senate bills Nos. 93 and 92.

Game and Fisheries—House bill No. 308.

Revenue and Taxation—House bills Nos. 305 and 109.

Criminal Jurisprudence—House bills Nos. 163 and 320.

Labor—House bill No. 222.

Liquor Traffic—House bill No. 270.

Education—House bills Nos. 325 and 87.

Municipal and Private Corporations—House bills Nos. 194 and 258.

Judiciary—House bill No. 254.

The following committees have filed adverse reports on bills as follows:

Judicial Districts—House bill No. 216.

Education—House bill No. 20.

Common Carriers—House bill No. 106.

State Affairs—House bill No. 176.

REPORTS OF COMMITTEE ON EN-GROSSED BILLS.

Committee Room,

Austin, Texas, January 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 117, A bill to be entitled "An Act to reorganize the courts of Jefferson county; to abolish the Sixtieth Judicial District and to establish and create in its place and stead a criminal district court for Jefferson county; to provide for the jurisdiction of and procedure in said court; to fix the time for holding the terms of said court; to provide for the appointment, election, qualification, duties, powers and compensation of a judge of said court; depriving and divesting the district courts of Jefferson county of jurisdiction of all criminal cases; providing from and after the taking effect of this act for the transfer of all criminal cases from the district courts of Jefferson county to the criminal district court of Jefferson county created by this act; providing for the transfer of all civil cases from the Sixtieth Judicial District to the district court of the Fifty-eighth Judicial District; providing that the Fifty-eighth District Court may empanel grand juries; and fixing the time for holding said court; providing that the county attorney, the sheriff and the clerk of the district court of Jefferson county shall be the county attorney, sheriff and clerk of the district court, respectively, and of the court created by this act, under the

same rules and regulations as are now or may hereafter be prescribed by law for the government of such officials; providing for the fees to be received by such officers for such services, and repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,

Austin, Texas, January 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 60, A bill to be entitled "An Act to create and provide for a Department of Insurance for the State of Texas, separate and distinct from the Department of Banking of this State; to provide for the appointment, term of office, name, compensation, and to prescribe the qualifications and the powers and duties of the head of such department; to provide for a seal for such office; to require of the Commissioner of Insurance an oath of office and a bond for the faithful discharge of his duties; to provide for a deputy commissioner, and to define the duties and powers and obligations of the deputy commissioner, and to provide for actuaries and examiners, and for clerical help for such department; to amend Chapter 7 of Title 65 of the Revised Statutes of the State of Texas, and particularly to amend Articles 4485, 4486, 4487, 4488, 4489, 4490, 4491 and 4492, and to repeal all laws and parts of laws in conflict herewith, and to declare an emergency."

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,

Austin, Texas, January 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 14, A bill to be entitled "An Act to amend Section 1 of Article 7355, Title 126, Revised Civil Statutes of Texas (1911), and also by adding thereto Section 14, relating to occupation taxes on itinerant merchants, or

persons, firms, companies or association of persons temporarily engaging in the mercantile business, fixing penalty, and declaring an emergency."

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,

Austin, Texas, January 24, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 13, A bill to be entitled "An Act providing for the licensing, bonding and regulating of private employment agents; limiting the fee charged by such agents; providing for the cancellation of such license; prescribing the duties of the Commissioner of Labor Statistics for the State of Texas with reference to the enforcement of this act; providing for recoveries on said bond; fixing penalties for the violation of this act; creating a special fund for the enforcement of this act and appropriating same for said purposes; repealing certain laws and all laws or parts of laws in conflict herewith, and declaring an emergency."

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,

Austin, Texas, January 25, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 4, A bill to be entitled "An Act to establish and maintain a horticultural and agricultural experiment station in the citrus belt of Cameron or Hidalgo county, Texas, authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said board to establish and maintain the same; to accept donations of lands, water and money for the establishment of said station, making an appropriation to pay the cost of establishing said station, and for the operation of the same, and declaring an emergency."

And find the same correctly engrossed.
DINKLE, Chairman.

Committee Room,
Austin, Texas, January 25, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and
compared

H. B. No. 168, A bill to be entitled
"An Act amending Section 23 of an
act passed at the First Called Session
of the Thirty-fifth Legislature of the
State of Texas, entitled 'An Act to cre-
ate a permanent textbook commission
for the State of Texas, to be styled "The
Texas State Textbook Commission";
defining its membership and appoint-
ment,' etc.; being Senate bill No. 16,
Chapter 4, of said Acts of the First
Called Session of the Thirty-fifth Legis-
lature, and to repeal all laws in conflict
herewith, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,
Austin, Texas, January 25, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and
compared

H. J. R. No. 1, Providing for the
amendment to Article 3 of the Con-
stitution of the State of Texas, adding
thereto Section 59, authorizing the
State of Texas to appropriate money
from the general revenue and issue
bonds and to lend its credit for the
purpose of constructing and main-
taining terminal fireproof warehouses
and grain elevators at the ports of
Texas for the storage of the products
of the farm, ranch and orchard, and for
loading for shipment for water trans-
portation; and authorizing counties or
any political subdivision thereof, or any
number of counties adjoining, or any
defined district within the State to issue
its bonds for the construction of local
fireproof warehouses, grain elevators,
cold storage and curing plants, and any
other buildings desirable for the storage
and conservation of the products of the
farm, ranch and orchard,

And find the same correctly engrossed.

DINKLE, Chairman.

REPORTS OF COMMITTEE ON EN- ROLLED BILLS.

Committee Room,
Austin, Texas, January 26, 1923.

Hon. R. E. Seagler, Speaker of the House
of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 21, "An Act to amend Sec-
tion 2 of Chapter 57 of the General Laws
of the State of Texas, passed at the
Regular Session of the Thirty-first Legis-
lature, 1909, by substituting therefor a
new section: providing for the appoint-
ment of a clerk of the Court of Crimi-
nal Appeals; fixing his salary and de-
fining his powers and duties; abolishing
the salary of deputy clerk of said court;
repealing all laws in conflict herewith
and declaring an emergency, and said
Section 2 of said Chapter 57 as amended
is to hereafter read as follows,"

Have carefully compared same and
find it correctly enrolled, and have this
day, at 3:45 o'clock p. m., presented
same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,
Austin, Texas, January 26, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 80, "An Act to amend
Article 1732, Chapter 1, Title 35, of the
Revised Statutes of Texas of 1911, so as
to provide that a county judge, before
entering on the duties of his office, shall
execute a bond of not less than \$1,000,
nor more than \$10,000, conditioned that
he will pay over to the person or officer
entitled to receive it, all moneys that
may come into his hands as county
judge, and that he will pay over to his
county all moneys illegally paid to him
out of the county funds, as voluntary
payments or otherwise, and that he will
not vote or give his consent to pay out
county funds except for lawful pur-
poses, and take oath of office prescribed
in the Constitution, and the further oath
required of the several members of the
commissioners' courts, and declaring an
emergency,"

Have carefully compared same and
find it correctly enrolled, and have this
day, at 3:45 o'clock p. m., presented
same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room.

Austin, Texas, January 26, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 49, "An Act to amend Chapter 3 of Title 118, Registration, of the Revised Civil Statutes of the State of Texas of 1911 by adding thereto Articles 6840a and 6840b, providing for the filing with the county clerk as the recorder, of notices or statements of all liens and claims and releases thereof, in favor of the Government of the United States or of any department or bureau thereof, providing how such notices or statements shall be filed, recorded and indexed, how said clerks shall be compensated for said services, repealing all laws in conflict therewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:45 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, January 26, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 59, "An Act to amend Chapter 12, pages 21 and 22, of the laws passed at the First Called Session of the Thirty-seventh Legislature, 1921, by changing the time and terms of holding court in the Sixty-third Judicial District, so that Section 1 of said act shall hereafter read as follows, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:45 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, January 26, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 77, "An Act to amend Article 2239, Chapter 1, Title 40 of the Revised Statutes of Texas of 1911, so as to provide that the county judge and each commissioner shall take the oath of office prescribed by the Constitution,

and shall also take an oath that he will not be directly or indirectly interested in any contract with or claim against the county in which he resides, except such warrants as may issue to him as fees of office, and providing that said oath shall be in writing and filed and recorded in the office of the county clerk; and providing that each commissioner shall execute a bond with two or more sureties to be approved by the judge of the county court, in the sum of \$3000, payable to the treasurer of his county, conditioned for the faithful performance of the duties of his office, and further conditioned that said commissioner will pay over to his county all moneys illegally paid to him out of county funds, as voluntary payments or otherwise, and that he will not vote or give his consent to pay out county funds except for lawful purposes, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day at 3:45 o'clock p. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

SEVENTEENTH DAY.

(Monday, January 29, 1923.)

The House met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Collins.
Arnold.	Covey.
Atkinson.	Cowen.
Avis.	Crawford.
Baker of Milam.	Culp.
Baker of Orange.	Davenport.
Baldwin.	Davis.
Barker.	Dinkle.
Barrett.	Dodd.
Beasley.	Downs.
Bell.	Driggers.
Bird.	Duffey.
Blount.	Dunlap.
Bonham.	Dunn.
Bryant.	Durham.
Burmeister.	Edwards.
Cable.	Faubion.
Carpenter	Fields.
of Dallas.	Finlay.
Carson.	Frnka.
Carter of Coke.	Fugler.
Carter of Hays.	Gipson.
Chitwood.	Green.
Coffee.	Greer.